

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

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|---------------------------|---|-------------------|
| MARY NELSON and OTIS |] | |
| NELSON, |] | |
| |] | |
| Plaintiffs, |] | |
| |] | |
| vs. |] | 7:12-cv-01965-LSC |
| |] | |
| J. DREW MAYFIELD, et al., |] | |
| |] | |
| Defendants. |] | |

ORDER

The Court acknowledges receipt of Plaintiffs' Motion to Compel, filed on May 21, 2013 (Doc. 56), and Motion to Amend Scheduling Order. (Doc. 57.) It appears to the Court that the motion to compel may still be amenable to resolution in whole or in part by agreement of counsel. It is therefore ORDERED that counsel for the respective parties shall confer within fourteen (14) days and shall attempt to resolve their differences or reduce the areas of dispute regarding the discovery requests at issue in the motion presently pending before the Court. The Court will hear argument and rule upon the motion only if moving counsel files a further statement with the Court certifying that, after personal consultation and sincere efforts to do so, counsel have been unable to resolve the matter satisfactorily.

Unless such a statement is filed on or before June 5, 2013, the Court will consider the motion moot and will enter an order to that effect. If such a statement is filed on or before June 5, 2013, the Court will hear argument and rule upon the motion at a hearing to be scheduled later.

Counsel are reminded that the Court will impose sanctions against the losing party in accordance with Fed. R. Civ. P. 37, in the absence of substantial justification for the losing party's position. The Court will take up Plaintiffs' Motion to Amend after resolution of the discovery dispute.

Done this 22nd day of May 2013.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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